

**JUDGE HALL**

CA-73- 44 H

ATTORNEYS

[illegible]

State of W. Va., ex rel. and for the use of State Construction, Inc.,  
a corporation, and STATE CONSTRUCTION, INC., a corp.

vs.

RYAN INCORPORATED OF WISCONSIN, a corporation, and AMERICAN EMPLOYERS  
INSURANCE COMPANY, a corp.

CA-73- 44 H

DATE 1973	PROCEEDINGS	Date Order or Judgment Noted
Apr. 19	(1) Filed Petition for Removal from Circuit Court of Cabell Co., W.Va. with Affidavit and relevant documents attached.	
Apr. 19	(2) Filed Notice of Removal	
Apr. 19	(3) Filed Removal Bond in the sum of \$500.00	
Apr. 19	(4) ORDER: extending time for Defts. to answer and file counterclaim to May 7, 1973. COB 22, P.299	
Apr. 26	(5) ORDER, extending time for Defts. to filed answer and counterclaim until May 22, 1973. COB 22, P. 326	
May 22	(6) Filed Answer and Affirmative Defenses and Counterclaim of Ryan Inc. of Wisconsin.	
May 22	(7) Filed Answer and Affirmative Defenses of American Employers Insurance Co.	
June 8	(8) Filed Plaintiffs Reply to so much of the Answer of Deft. Ryan Inc. of Wisconsin as is affirmative defense and in the nature of Counterclaim and Plaintiffs Reply to the Counterclaims of Deft. Ryan Incorporated of Wisconsin.	
June 8	(9) Filed Plaintiffs Reply to so much of the Answer of Deft. American Employers Insurance Co. as is Affirmative Defense and in the Nature of Counterclaim.	
June 26	(10) Reply to the Affirmative Allegations set forth in Plaintiffs' Reply to the Answer of the Defendant Ryan Incorporated of Wisconsin and Reply to the Affirmative Allegations set forth in Plaintiffs' Reply to the Counterclaims of Ryan Incorporated of Wisconsin, and Ryan Inc. prays that complaint of plaintiffs be dismissed and granted Judgment on its counterclaim, filed.	
June 26	(11) Reply to the Affirmative Allegations set forth in Plaintiffs' Reply to the Answer of the Deft. American Employers Ins. Co., and American Employers Ins. Co, prays that Plaintiffs' complaint be dismissed, etc., filed.	
1974		
May 29	File sent to Judge Hall by U. S. Marshal Humphreys.	
1976		
May 19	(12) ORDER, transferring case from Judge Hall to Judge Haden. COB 32, P.72	
July 9	(13) ORDER: Pre-trial conf. set for Aug. 12, 1976 at 10:30 A.M. COB 32, P. 251	
09-22-76	(14) Motion for Summary Judgment of American Employers' Insurance Company and Notice of Motion with Affidavit in Support of Motion attached thereto, filed. (Copy to Judge Haden, Jim Nash)	
09-22-76	(-- ) Brief in Support of Motion for Summary Judgment on behalf of Defendant, American Employers Insurance Company, received. (Copy to Judge Haden)	
0-05-76	(15) Notice on behalf of Defendants to take deposition of R. E. Troy on Nov. 17, 1976; William L. Flesher on Nov. 18, 1976; and A. J. Curback on Nov. 19, 1976, all commencing at 9:00 A.M., filed. (copy to J.Haden)	
0-05-76	(16) Defendants' Request for Production of Plaintiff's Documents and for Inspection and Copying thereof, FRCP 34, filed. (copy to J.Haden)	
0-05-76	(17) Interrogatories of Defendants to State Construction, Inc., FRCP 33, filed.	
10-26-76	(18) Plaintiff's Response to Defendant's Rule 34 Request for Documents, filed.	
10-26-76	(-- ) Brief of Plaintiff in Opposition to Defendant American Employers Insurance Company's Motion for Summary Judgment, received. (Copy of Response and Brief to Judge Haden; Jim Nash)	
1-03-76	(19) Plaintiff's Response to Defendants' Rule 33 Interrogatories, filed.	
1-08-76	(20) Amended Notice of Depositions and Request for Production of Documents, FRCP 30 and 34, on behalf of Defendants. (copy to Judge Haden)	
1-10-76	(-- ) Reply Brief in Support of Defendant American Employers Insurance Company's Motion for Summary Judgment, received. (Copy to Judge Haden; Jim Nash)	
2-14-76	(21) ORDER: Action dismissed as compromised, agreed and settled, with prejudice, with each party paying its costs in this behalf expended. (cc: Herndon; Layne; Judge Haden) 33/497	